IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION

ANNA MAY RICHTER, Plaintiff, vs. BEN SMITH, in his Individual Capacity as Sac County Attorney, Defendant.	)	No. 16-cv-4098

DEFENDANT'S MOTION TO CONSOLIDATE

XCENTRIC VENTURES, LLC, an Arizona Limited Liability Company; and ED MAGEDSON, an Individual, Plaintiffs, vs. BEN SMITH, in his Individual Capacity as Sac County Attorney, Defendant.	)	No. 15-CV-4008-DEO

COMES NOW, Defendant, Ben Smith, and moves this Court to consolidate the above captioned matters. As discussed further in the Brief filed concurrently herewith, the cases are inextricably bound by common issues of law and fact.

1. Trial has been set for these two cases.
    a. The Xcentric Ventures/Ed Magedson trial is set for May 15, 2017.
    b. The Anna Richter trial is set for March 12, 2018.
2. While the pretrial footings of these cases differ, consolidation is warranted to: promote judicial economy and convenience; avoid piecemeal litigation; and, promote the efficient and unified disclosure of information under one governing protective order.
3. Counsel for the undersigned has personally visited with counsel for Plaintiffs in each of the cases for which consolidation is sought.
    a. Counsel for Anna Richter consents to consolidation.
    b. Counsel for Xcentric Ventures and Ed Magedson object to consolidation.

WHEREFORE, Defendant, Ben Smith, respectfully prays this Court consolidate the above referenced matters so that the collective trial occur as currently scheduled for Anna Richter's case in March 2018, and for further relief as this Court deems just and proper.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 6th day of January, 2017, the above and foregoing, DEFENDANT'S MOTION FOR CONSOLIDATION AND BRIEF IN SUPPORT THEREOF, was electronically filed with the Clerk of the U.S. District Court using the ECF system, service being made by ECF upon the following:

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